

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 08-52640

GARY DAVID LEVIN, *pro se*, and
JANIS GERALDINE LEVIN, *pro se*,

Chapter 13

Judge Thomas J. Tucker

Debtors.

ORDER DISMISSING CASE

On February 29, 2008, Debtor Janis Geraldine Levin filed a voluntary petition for relief under Chapter 7, initiating Case No. 08-44853. That case is still pending. On May 23, 2008, Debtors Gary David Levin and Janis Geraldine Levin filed a joint voluntary petition for relief under Chapter 13, initiating this case. Because Debtor Janis Geraldine Levin may not have two cases pending at the same time,

IT IS ORDERED that this case is DISMISSED.¹

Signed on May 28, 2008

/s/ Thomas J. Tucker

Thomas J. Tucker

United States Bankruptcy Judge

¹ This Order does not preclude Debtor Gary David Levin, individually, from filing another Chapter 13 case. In that event, the automatic stay will be in effect for 30 days. Debtor may however, file a motion to extend the stay **within 7 days of filing the petition** in the new case. See L.B.R. 4001-5(a) (E.D.M.) (available on the Court's website at <http://www.mieb.uscourts.gov>); 11 U.S.C. § 362(c)(3)(B).

This Order also does not preclude Debtor Janis Geraldine Levin from filing a motion to convert her pending Chapter 7 case (Case No. 08-44853) to Chapter 13. Debtor Janis Geraldine Levin would have to file such a motion in Case No. 08-44853, and the motion would need to be accompanied by a 20-day notice of the motion, filed and served on all creditors on the matrix. (See Local Forms - "Notice of Motion and Opportunity to Object" at <http://www.mieb.uscourts.gov/rulesAndForms/localForms.html>).